

APPROVED: Meeting No. 4-84

ATTEST:

MAYOR AND COUNCIL
ROCKVILLE, MARYLAND
MEETING NO. 1-84

January 9, 1984

The Mayor and Council of Rockville, Maryland, convened in executive session in the City Manager's Conference Room, City Hall, Maryland at Vinson Street, Rockville, Maryland, at 7:00 p.m., on January 9, 1984, for the purposes of discussing property disposition.

PRESENT

Mayor John R. Freeland

Councilman Douglas Duncan

Councilwoman Viola Hovsepian

Councilman John Tyner, II

ABSENT

Councilman Steve Abrams

There being no further business to come before the Council in executive session, the meeting was adjourned.

Re: General Session

The Mayor and Council of Rockville, Maryland, convened in general session in the Council Chamber, Rockville City Hall, Maryland at Vinson Street, Rockville, Maryland, on Monday, January 9, 1984, at 8:00 p.m.

PRESENT

Mayor John R. Freeland

Councilman Steve Abrams

Councilman Douglas Duncan

Councilwoman Viola Hovsepian

Councilman John Tyner, II

The Mayor in the Chair.

In attendance: City Manager Larry Blick; City Clerk Helen Heneghan; City Attorney Paul Glasgow.

Re: City Manager's Report

Mr. Blick reported the following:

1. On Wednesday night, the Planning Commission has on its agenda, a discussion of the Tribune United Cable Company's request for a waiver to allow installation of above ground pedestals to house the cable television converters.

2. The public hearing on Cold Spring Road will be held at the Mayor and Council meeting on January 23. Fact sheets will be mailed tomorrow to civic association presidents and to all who appeared at the public forum held by the Traffic and Transportation Commission and the Planning Commission.

3. The Traffic and Transportation Commission has changed the night of their meetings from the fourth Thursday to the fourth Tuesday of every month.

4. The traffic signal at Falls Road and Maryland Avenue is switched to flashing operation on December 29. It has since gone into full service.

5. In response to City request to address the dangerous curb of Jefferson Street at Van Buren, the State Highway Administration has scheduled a complete resurfacing of Jefferson Street from Falls Road to Rt. 355.

Councilwoman Hovsepien said she is happy to see the State is finally doing something at that intersection.

Councilman Tyner thanked the City Clerk for the new information card handout that is available to visitors to the Council Chamber.

Councilman Duncan asked if the City has a date when the Tennis Barn will be completely removed. Mr. Glasgow said it should be some time this week.

6. The City Manager said that the overlay paving on Washington Street will be done in March. The brick work should be completed soon and it will be several months before the street lights are in place.

Re: Appointments

Mayor Freeland made the following appointments, the were confirmed by the Council:

Alternative Community Service Commission: Louise Crews - reappointed - 2 year term
Thomas Murphy - reappointed - 2 year term

Human Rights Commission: JoAnn Mazzetta - reappointed - 4 year term

Recreation and Park Board: Byron Mullican - appointed - 2 year term
1947 Lewis Avenue

Sister City Task Force: Gary Funkhouser & Michael Moran - appointed co-Chairmen
(becomes effective February 15, 1984)

Planning Commission: Cranville Paules - reappointed - 5 year term

Mayor Freeland noted that the new policy of the Mayor and Council is to take its time in making appointments to the various boards and commissions since a lot of time is spent interviewing to make sure that the best person is selected for the opening. There is also a new council policy to rotate the various members of the boards and commissions. Mayor Freeland said he would like to take this opportunity to recognize the current Chairman of the Sister City Task Force. The citizens can be most grateful for all his efforts in setting up this most important commission and overseeing its operation in its formative year. He noted there have been two people chosen to attempt to do a job that Mr. Hovsepien had been doing.

Re: Citizen's Forum

The Mayor opened the meeting to those citizens who wished to address the Mayor and Council.

1. Adam Hollander, 5818 Conway Road, Bethesda, Maryland, a student. Mr. Hollander addressed the Council and told them he needed answers to why the City is called Rockville. He would like to know some interesting places to visit. Mayor Freeland asked the Information Officer to forward information to Mr. Hollander on the City. Councilman Tyner suggested that Adam take time to visit the Civic Center Mansion and the auditorium. Councilwoman Hovsepian agreed and also suggested that he add Montgomery College to his list of places to visit.

2. Reverend Mansfield Kaseman, 704 Carter Road, United Church Center for Community Ministries. Reverend Kaseman introduced the confirmation class he brought this evening who have among their studies learning to be responsible citizens. He introduced Andy Brunig, Jeffrey Wade, Chuck Hillman, Patrick Foote and Ann Woods. Mayor Freeland welcomed them to the Council Chamber and distributed flag pins to all the students.

Reverend Kaseman told the Council Montgomery County Food Network has presented a paper on the state of hunger in Montgomery County. Although it is the richest congressional district in the country many live below the poverty level. Mayor Freeland thanked Reverend Kaseman for his efforts in bringing this forward and noted that the City's REAP program was a good thing at the right time.

3. Yale Goldberg, Attorney. Mr. Goldberg introduced his son Michael of the Micrin Corporation and said he would like to bring to the Council's attention Lot 1 Block 1 Horizon Hills, which had a sewer problem, making it necessary to run a pipe 400 feet to service the lot. To do this the city requires a performance bond rather than a letter of credit. The work will take from 60 days to 16 months to complete and it is sometimes expensive and difficult to obtain a bond. He requested a waiver of this rule and asked the City to take a letter of credit for a local bond. The Council agreed that they would await the staff's coming forward with a recommendation. Mr. Glasgow briefed the Council on a staff committee that is currently working on changing the procedure of performance bonds using cash or a letter of credit. He suggested the Council proceed with caution until the recommendations are complete. The Mayor asked that staff proceed quickly and they come back to the Mayor and Council with a recommendation.

4. Leah Barnett, 19 Orchard Way North. Mrs. Barnett reminded the Council that there is in place an ordinance on snow removal in the City in front of business

places and apartments. She asked that the City make sure that apartment residents clear the way since it is sometimes quite dangerous. The Mayor said this would be addressed by the staff. He congratulated Mrs. Barnett on being chosen Chairman of the Planning Commission and wished her success in the Commission's deliberations this year.

There being no other citizen wishing to address the Mayor and Council, the Mayor closed the citizen's forum portion of the meeting.

Re: Public Hearing: SCA-47-83, Congressional North Associates, requesting the abandonment of an unimproved public right-of-way known as Wagner Road, north of Congressional Airport

The Mayor and Council conducted a public hearing on Street Closing and Abandonment Application, SCA-47-83, Congressional North Associates, and heard those persons as will be found in the official stenographic transcript of the hearing. There being no other citizen wishing to be heard, the Mayor declared the hearing closed with the record to be held open for two weeks.

Re: Public Hearing: M-35-83, Hilda Waters, Morris Clark and Anita Clark, 101 South Van Buren Street, Applicants, seeking to place the property at this address in the Transitional District.

Re: Public Hearing: M-36-83, Hilda Waters, Morris Clark and Anita Clark, 101 South Van Buren Street Applicants, requesting to rezone the property from the R-90, One Family Detached Residential Zone to the O-2 Transitional year

The Mayor and Council conducted a combined hearing on Map Amendment Applications, M-35-83 and M-36-83, and heard those persons as will be found in the official stenographic transcript of the hearing. There being no other citizen wishing to be heard, the Mayor declared the hearing closed with the record to be held open for three weeks.

Re: Introduction of Ordinance: To grant Map Amendment Application, M-34-83, Congressional South, Applicants

On motion of Councilman Duncan, there was introduced upon the table an ordinance granting Map Amendment Application M-34-83, said ordinance to lay over at least one week before final action is taken.

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Re: Adoption of Ordinance: To Amend Chapter 3 of the "Laws of Rockville", entitled "Personnel Regulations" to make the provisions consistent with employees' groups agreements

Ordinance No. 1-84

On motion of Councilman Duncan, duly seconded and unanimously passed, Ordinance No. 1-84, the full text of which can be found in Ordinance Book No. 11 of the Mayor and Council, amending Chapter 3 of the "Laws of Rockville" was adopted by the Mayor and Council.

Re: Decision and Instructions to staff re Brent Road Special Assessment Project

On motion of Councilman Abrams, duly seconded and unanimously passed, staff was instructed to prepare the necessary legal documentation to approve the reconstruction of Brent Road as a Special Assessment project.

Re: Approval of Testimony on proposed Ride-on bus routes, 44, 45 and 57, in Rockville

Councilman Abrams told the Council that there are other routes in Rockville west of I-270 that do not seem to serve the best interests of citizens since they are just associating Rockville people from the Rockville station to Shady Grove. It would seem to be a good idea to get people in the habit of using public transportation prior to Metro's opening and there should be proper service throughout the City to the closest station. He suggested that these remarks be incorporated into the City's testimony. The Mayor asked the staff to include some of the comments made by the Council which would add to and clarify the usefulness of some of the plans.

Re: Approval to operate new indoor pool at Swim Center

On motion of Councilman Abrams, duly seconded and unanimously passed, staff was authorized to go ahead with the operation of the new indoor pool. The City Manager said that the funding at the present time will come from the general fund, but there may be money available from fees which are paid earlier in the year to begin the operation. The entire matter will be addressed during budget.

Re: Approval of revised development plans - Mannakee Investors Rt. 355 and Mannakee Street

Mr. Glen Koepenick briefed the Council on the new plans for the building and explained that settlement and ground breaking should take place in March. It will be

a full service building with sufficient parking. The Mayor and Council reviewed the plans and sketches.

On motion of Councilwoman Hovsepian, duly seconded and unanimously passed, approval was given to the new building.

Re: Correspondence

The Mayor and Council noted the following items of correspondence:

1. N. Christeller, re Lincoln Park Neighborhood Plan
2. W. J. Graves, AOTA, re Economic Update
Mayor Freeland asked the City Manager to check into it.
3. New Mark Commons Homes Association, re Charter Resolutions
4. County Executive, re Red Line opening
Senator Mathias, re Red Line opening
C. Turner, Metro, re Red Line opening
5. Olga Farozic, re Youth Recognition
6. Alan Berson, re Cold Spring extension
7. Hearing on Ride-On, January 18

Re: Information Items

1. Letter commending staff member
2. Memo re recognition of corporate sponsors
Councilwoman Hovsepian said this is excellent and she commended the staff on their work. The Mayor and Council agreed. Councilman Duncan noting it being a very good idea.
3. Metro information
4. Information on South Adams Street rats
5. City Manager letter to D. Hovsepian, re road projects
6. Quarterly reports from Animal Control
7. Letter to City Manager, re extension request
8. Senior Center Newsletter
9. Status of Landlord/Tenant Relations Ordinance
10. City Manager letter re Argyle Street reopening
11. Response to citizen's complaint
12. Memo from City Manager re Bi-County sewer agreement

Re: New Business

1. Mayor Freeland said he has received from the City Manager a packet of information on Maryvale and asked that it be sent out to the neighborhood with the comments he has provided.

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January 9, 1984

Re: Approval of Minutes

On motion of Councilman Duncan, duly seconded and unanimously passed, the Minutes of Meeting No. 38-83, December 12, 1983, were approved as corrected.

Re: Executive Session

On motion of Councilman Duncan, duly seconded and unanimously passed, the meeting was closed for executive session for consultation with legal counsel.

Re: Adjournment

There being no further business to come before the Council in executive session, the meeting was adjourned at 12:35 a.m. to convene again in general session on Monday, January 23, 1984, at 8:00 p.m. or at the call of the Mayor.